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MINISTRY OF EXTERNAL AFFAIRS

NOTIFICATION

New Delhi, the 31st March 1954

S.R.O. 1031.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following Rules, namely:

THE INDIAN FOREIGN SERVICE RULES, 1954

CHAPTER I

PRELIMINARY

1. Short title and applications.—(1) These rules may be called the Indian Foreign Service Rules, 1954. They shall come into force with effect from the 1st April, 1954.

(2) They apply to all Government servants appointed to the Indian Foreign Service:

Provided that a Government servant belonging to an All-India Service or another Central Service Class I, appointed to the Indian Foreign Service may, at his option, continue to be governed in whole or part by the rules relating to pay, leave, pension and other conditions of service applicable to the Service to which he belongs. The option may be exercised in respect of one or more of these matters, and in respect of the matters in regard to which he has opted to be governed by the rules applicable to the service to which he belongs, the corresponding provisions of the Foreign Service Rules will not apply to him.

(3) The option under sub-rule (2) shall be exercised in writing and shall specify the matters in regard to which the Government servant wishes to be governed by the conditions of service applicable to the Service to which he belongs. It shall be communicated by the Government servant to his Accounts Officer so as to reach him within one month from the date of appointment to the Indian Foreign Service or three months from the date these rules come into force, whichever is later. The option once exercised shall be final.

2. Definitions.—In these rules, unless the context otherwise requires—

- (a) "Government" means the Government of India.
- (b) "Service" means the Indian Foreign Service.
- (c) "Member of the Service" refers to those who are appointed to the Service as distinguished from persons holding posts borne on the Cadre of the Service.

3. In respect of any matter for which no provision has been made in these rules, the relevant provisions in Service Codes like the Fundamental and Supplementary Rules shall apply to the extent decided by the Government.

4. The Government may relax the provisions of these rules in any individual case in such manner as may appear to it to be just and equitable provided that the case shall not be dealt with in any manner less favourable than that provided in these rules.

5. If any question arises relating to the interpretation of these rules, it shall be referred to the Government whose decision thereon shall be final.

CHAPTER II

CONSTITUTION OF INDIAN FOREIGN SERVICE

6. Branch A of the Service will be composed of all Members of the Service as well as Heads of Missions and other Government servants who have not been appointed to the Indian Foreign Service as such but are holding posts borne on the cadre of that Service.

Branch B of the Service which will include clerical and executive personnel has not yet been formed. The Rules for the Branch B will be framed later after that Branch has been constituted.

CHAPTER III.

GRADES AND PAY

7. The grades and pay of members of Branch A of the Service are as follows:—

Grade 1.—Rs. 3,000 p.m.

Grade 2.—Rs. 2,750 p.m.

Grade 3.—Rs. 2,500 p.m.

Grade 4.—Rs. 2,250 p.m.

Grade 5.—Rs. 1,800—100—2000.

Senior Scale.—Rs. 800 (6th year or under)—50—1,000—60—1,300—50—1,800 (25 years).

Junior Scale.—Rs. 350—400—450—450—500—540—30—600/EB/30—870—40—950 (19 years).

Grades 1 and 2 consist of Heads of Missions.

Grade 3 consists of Heads of Missions and Ministers not being Heads of Missions.

Grade 4 consists of Heads of Missions, Ministers not being Heads of Missions, Consuls-General and Counsellors.

Grade 5 consists of Heads of Missions, Counsellors, Consuls-General and Trade Commissioners.

The posts borne on the senior scale are Consuls-General, Trade Commissioners, Consuls, First Secretaries and Assistant Trade Commissioners.

The posts borne on the junior scale are Vice-Consuls, Second Secretaries, Assistant Trade Commissioners, Third Secretaries and Attaches.

8. **Pay when appointed to posts in India.**—An officer appointed to the Service will, when holding a post of Secretary, Joint Secretary, Deputy Secretary or Under Secretary under Government, draw the same rates of pay and allowances as may be allowed to an Indian Administrative Service officer while holding these posts.

NOTE.—Officers borne on the cadre of the I.C.S. or an All-India Service or other Central Services Class I—when appointed to posts in the Secretariat of the Government will draw the appropriate rates of pay by virtue of their position in their parent service.

9. (1) **Pay of Heads of Missions in special circumstances.**—If a Head of a Mission being under the age of 55, is recalled from his post on the cessation of diplomatic relations, or in other special circumstances, and if he is not appointed to another post, he may, at the discretion of the President, if it is intended to re-employ him in his existing grade or in a higher grade, continue to receive

the full pay attaching to the post which he vacated, for a period not exceeding six months. During the said period of six months he will be required to perform such duties as may be assigned to him by Government and the said period will count for purposes of both leave and pension. At the expiry of the said period of six months, Government may pass such orders as it deems fit.

(2) If during the said period of six months the said Head of Mission refuses to accept a post which is offered to him, he will immediately be placed "en disponibilité" and from the date of his refusal to accept the post he will cease to earn pay or leave or count the period after such refusal as service for the purposes of pension.

CHAPTER IV

OUTFIT ALLOWANCE

10. (1) Outfit allowance is intended to assist a newly appointed officer to meet the expenses of purchasing clothes required for formal occasions and such other equipment as an officer serving abroad may require. Members of Branch A of the Service are entitled to outfit allowance as follows:—

(i) On first appointment out of India:

Rs. 2,500 if the officer is married, and accompanied by his wife, or joined by her within a year;

Rs. 1,250 in other cases.

If the first appointment abroad is also an appointment as Head of a Mission entitling the officer to the outfit allowance prescribed in clauses (ii) and (iii), no allowance will be admissible under this clause.

Probationers in the Service will be eligible to draw an outfit allowance of Rs. 1,000 at the time they are sent abroad for training and the amount will be adjusted against the total outfit allowance admissible to them on confirmation.

(ii) *On appointment as Head of Mission.*—On first appointment as Head of a Mission in Grades 5, 4, or 3: Rs. 2,500.

(iii) On first appointment as Head of a Mission in Grade 2 or 1; Rs. 1,250, if he has already drawn an outfit allowance on appointment as Head of a Mission in Grades 5, 4, or 3 or Rs. 2,500, if he has not drawn any outfit allowance under clause (ii), provided that if an officer becomes entitled to the payment of a second outfit allowance on appointment as Head of a Mission before three years from the date on which the final instalment of the last outfit allowance was received by him, the payment of the second outfit allowance to him will be postponed until three years from the date of the last payment.

NOTE.—If an officer appointed as Head of a Mission is unmarried or is not accompanied by his wife, the amount of his outfit allowance under clauses (ii) and (iii) above will be fixed by the Government by special orders.

(iv) *Special outfit allowance.*—On appointment to a post at which special clothing is in the opinion of the Government of India necessary on account of climatic conditions, a Government servant may draw in addition to the allowances prescribed in clauses (i), (ii) or (iii), the actual cost of special outfit up to Rs. 1,000 if the officer is married and his wife accompanies him or joins him within a year and up to Rs. 700/- in other cases. [See also sub-rule (3) below]

NOTE.—The stations at which special outfit allowance will be admissible in accordance with this rule are:

1. Ankara.
2. Lhasa.
3. Moscow.
4. Ottawa.
5. Peking.
6. Stockholm.

(2) *Conditions for drawing outfit allowance in advance.*—The allowances admissible under sub-rule (1) may be drawn in advance subject to adjustment on the production of a certificate that the sums claimed have been actually spent for the purpose for which the allowances are payable. This certificate must be furnished within a period of six months from the date of drawal of the advance, failing which the entire amount of the advance will become repayable to Government.

(3) **Limitations of special outfit allowance.**—The allowance payable under clause (iv) of sub-rule (1) will be limited to three occasions during an officer's career in the Service, but the allowance shall not be admissible unless there is an interval of at least 3 years after the last allowance was drawn.

CHAPTER V FOREIGN ALLOWANCE

11. (1) Members of Branch A of the Service, when serving outside India, will be entitled to a Foreign Allowance (in the case of Heads of Missions '*Frais de Representation*'). The amount of the Foreign Allowance will be determined by the Government in each case with due regard to the nature of the post and the considerations set forth in sub-rule (2).

(2) **Composition of Foreign Allowance.**—In assessing the rate of foreign allowance, the following items *inter alia* will be taken into consideration:—

- (a) local cost of living;
- (b) other expenditure which an officer serving abroad necessarily incurs either at home or abroad, over and above that of an officer of corresponding grade serving in India; and
- (c) representational expenditure, i.e., expenditure which while optional for a private individual, is obligatory for a member of the Service resident abroad by virtue of his official position.

(3) **Exemption of Foreign Allowance from Indian Income tax.**—Foreign allowance (or *frais de representation*) will, for the purpose of section 4(3)(vi) of the Indian Income Tax Act, 1922, be treated as having been granted wholly and exclusively to meet expenditure incurred in the performance of duties. Such allowances drawn in respect of periods of duty in India will not, however, be so treated, if the periods of duty in India during a financial year exceed 30 days in the aggregate.

(4) **Foreign allowance during authorised absence.**—Foreign allowance is payable during the authorised absence from his post abroad of a Government servant belonging to or holding a post borne on the cadre of the Service, other than the Head of a Mission, under the following rules. If the authorised absence is on leave during which only half pay or half average pay is admissible, the amount of the allowance admissible under these rules also will be halved; if the absence is on extraordinary leave without pay, no allowance will be admissible.

Section I.—While on special duty

(A) If a certificate is furnished by the Ministry of External Affairs that the Government's servant will return to his post at the end of the duty,

(i) in the case of a married Government servant, who takes his family with him,

(a) while on duty in India, at full rates, the position being reviewed after two months of duty;

(b) while on duty elsewhere, at full rates.

(ii) in the case of a married Government servant who leaves his family at the place where he is posted and certifies that he continues to incur the whole or a considerable part of the expenditure for which the allowance is granted, while on duty in India or elsewhere, at full rates.

(iii) in the case of an unmarried Government servant, while on duty in India or elsewhere, at full rates for a period of one month. Thereafter, the foreign allowance will be subject to a reduction at the rate of 50 per cent of the total allowance but so as not to reduce it below the minimum of the pay scale of his grade.

(B) If the certificate provided for in (A) cannot be furnished.

(i) while on duty in India, the Government servant will, in lieu of the foreign allowance, receive an allowance at the following monthly rates:—

Married and who takes his family with him			Unmarried	
Grade 5	Rs. 400	} or the foreign allowance last drawn whichever is less.	Rs. 200	} or $\frac{1}{2}$ of the foreign allowance last drawn whichever is less.
Senior Scale	Rs. 450		Rs. 225	
Junior Scale	Rs. 200		Rs. 100	

(ii) When a Government servant leaves his wife and family (if any) at his post—such cases are likely to be rare and will be dealt with on their merits.

(iii) While on duty in a post elsewhere, a married as well as an unmarried Government servant will receive the allowance if any attached to that post.

Section II.—While on leave

(A) Other than on medical certificate:

(a) When a certificate is furnished by the Ministry of External Affairs that the Government servant will return to his post at the end of the leave,

(i) in the case of a married Government servant who takes his family with him—at full rates for a period not exceeding two months after which the position will be reviewed by Government, but in the case of posts where the allowance is abnormally high, i.e. where it exceeds 100 per cent of the mean of the pay scale of the Government servant's grade, the allowance will be subject to a reduction at the rate of 25 per cent of the total allowance as from the date of departure on leave. This reduction shall not operate so as to bring the allowance below the mean of the pay scale. This reduction shall not be applied in respect of brief absences within a total period of 14 days in one calendar year.

NOTE.—The "mean of the pay scale of a grade" stands for the minimum plus the maximum of the grade divided by 2.

(ii) in the case of a married Government servant who leaves his family at the place where he is posted and certifies that he continues to incur the whole or a considerable part of the expenditure for which the allowance is granted—the allowance of his post.

(iii) in the case of an unmarried Government servant,

50 per cent from the date of departure on leave but so as not to reduce the allowance below the minimum of the pay scale of his grade provided that such reduction shall not be made in respect of absence for brief periods not exceeding a total period of 14 days in one calendar year.

(b) When the certificate provided for in (a) cannot be furnished:

(i) The Government servant will in lieu of the foreign allowance, receive an allowance at the following monthly rates:

	Married & who takes his family with him.	Unmarried.
Grade 5	Rs. 400 } or the foreign	Rs. 200 } or $\frac{1}{2}$ of the
Senior Scale	Rs. 450 } allowance last	Rs. 225 } foreign allow-
Junior Scale	Rs. 200 } drawn which-	Rs. 100 } ance last drawn
	ever is less.	whichever is less.

(ii) when a Government servant leaves his wife and family (if any) at his post—such cases are likely to be rare and will be dealt with on their merits.

(B) On medical certificate:—

(a) in the country in which the Government servant is posted—

when the certificate at (A) (a) is furnished, full allowance for two months at the rate admissible if he was on leave other than on medical certificate. Thereafter the allowance will be reduced by 25 per cent for a period not exceeding two months after which the position will be reviewed by Government.

(b) outside the country in which the Government servant is posted,

(i) when the certificate at (A) (a) is furnished, and the Government servant is married and takes his family with him,

full allowance which he could have drawn on leave other than leave on medical certificate will be reduced, as from the date of the commencement of leave on medical certificate, by 25 per cent for a period not exceeding two months, after which the position will be reviewed by Government.

(ii) when the certificate at (A) (a) is furnished and the Government servant is married but leaves his family at the place where he is

posted and certifies that he continues to incur the whole or a considerable part of the expenditure for which the allowance is granted; the allowance which he could have drawn on ordinary leave will be reduced, as from the date of commencement of leave on medical certificate, by 25 per cent for a period not exceeding two months, after which the position will be reviewed by Government.

- (iii) when the certificate at (A) (a) is furnished and the Government servant is unmarried; the allowance during leave will be reduced as from the date of commencement of leave on medical certificate by 25 per cent for a period not exceeding two months, after which the position will be reviewed by Government.

NOTE.—An unmarried Government servant on leave on medical certificate outside the country where he is posted, who is due to return to his post, may thus incur a double cut in his foreign allowance.

(c) when the certificate provided for at (A) (a) cannot be furnished and the leave is spent in India or elsewhere, a married as well as an unmarried Government servant will *not* be entitled to *any* allowance.

(5) **Rate of foreign allowance to Heads of Missions during authorised absence.**—Subject to a deduction equivalent to the additional allowance for entertainment to be granted to the Charge d'Affaires, as provided in sub-rule (6), the Head of a Mission will continue to receive his *foreign allowance in full* during absences on authorised leave or on duty on the condition that he continues to defray the expenses of the *upkeep of the Mission* during his absence. On the expiry of his *authorised leave*, if he is still absent from his post, the extent of any further deduction will be determined by Government.

NOTE.—The term “upkeep of the Mission” includes the various expenses that are met by the Head of a Mission out of his *frais de representation* when he is at his Headquarters, e.g., running and maintenance of a car; maintenance of a residence, i.e. lighting, heating, water and other charges and maintenance of establishment, i.e. wages and food of servants.

(6) **Additional foreign allowance to Charge d'Affaires.**—When a Government servant acts as Charge d'Affaires at a Mission during the absence of the Head of the Mission, he will draw in addition to his own foreign allowance, an allowance at rates prescribed from time to time by Government to enable him to meet the additional cost of entertainment.

(7) For the purpose of the rules in this Chapter a married Government servant whose family does not accompany him to the place of posting will be treated as an unmarried Government servant.

NOTE.—A Government servant's family will be taken as “accompanying” him if they travel with him or within the time allowed in the note below rule 13 (5).

CHAPTER VI

TRAVELLING ALLOWANCE

Section I.—Application and Definitions

12. (a) **Definitions.**—This Chapter applies only to members of Branch A of the Service.

(b) In this Chapter, unless the context otherwise requires,

(i) “*approved route*” means the route approved for the particular journey in question and in cases where there is a standard route for journeys between different countries such route shall be the “approved route”. The words “journeys to and from India” used in this Chapter do not include journeys made within India.

(ii) “*Family*” means the Government servant's wife, legitimate children, and step-children, residing with and wholly dependent upon him. If the officer is a widower, however, he may, by special orders of Government, take a sister or other near relative at Government expense as a member of his family to look after his children or to act as his hostess if this is considered necessary for the proper performance of his duties provided that such an officer will not be entitled to claim a first class fare for a nurse or a governess under rule 13 (6) (b).

Section II.—Travelling allowance excluding daily allowance

13. **Journey on duty.**—(1) A Government servant making a journey on duty is entitled to be paid travelling allowance in accordance with the rules in this Chapter.

(2) Journeys on duty include:

(a) *Attending Conferences etc.*—An authorised journey made by a Government servant for the purpose of attending an International Conference or discussion or consultation;

(b) *Tour.*—A tour or visit made with the general or special sanction of Government or of the Head of the Mission in respect of journeys falling within his jurisdiction if he is authorised to sanction such tour or visit; and

(c) *Transfer.*—A journey made by a Government servant to join a new post while on duty in his old post or on leave.

(3) **Non-duty journeys.**—Journeys on duty do not include:—

(a) *Transfer on request.*—Journeys on account of transfer of a Government servant at his own request before the completion of the normal period of his service as determined by Government;

(b) *Transfer or retirement for misconduct.*—Moves on account of misconduct or retirement in circumstances in which a Government servant does not receive pension; and

(c) *While proceeding on or returning from leave.*—Journeys undertaken with a view to spend the leave in India or any other country.

(4) **Travel by "Approved Route".**—All journeys on duty must be made by the approved route. A Government servant who makes the journey by a route other than the approved route (e.g. travels by air, or in his own car when the approved route is by rail, etc.) will not be entitled to claim more than the amount payable to the journey by the approved route. On the other hand, if the route, which he takes is cheaper than the approved route, he will not be entitled to claim more than the actual expenses incurred.

(5) **Persons for whom T.A. may be drawn.**—The travelling allowance admissible to a Government servant for journeys on duty is as follows:—

(a) For a journey falling under clauses (a) and (b) of sub-rule (2) the Government servant will be entitled to travelling allowance for himself but Government may, in exceptional circumstances, allow travelling allowance in respect of any member of his family if the Government are satisfied that it was necessary for such a member to accompany the Government servant on a journey falling under clause (a) of sub-rule (2). Government may in special circumstances also authorise payment of travelling allowance to a servant accompanying a Government servant in case of a journey falling under clauses (a) and (b) of sub-rule (2).

(b) For a journey falling under clause (c) of sub-rule (2):

(i) the Government servant will be entitled to travelling allowance for himself and family provided that if the Government servant was on leave at the time of transfer and if the journey from the place where he was spending his leave is more expensive than the journey from his previous post, he will not be entitled to claim more than the amount payable in respect of a journey from India or from his previous post as Government may decide. If the leave taken by a Government servant is spent in India and exceeds 8 months (in the case of an officer whose leave is regulated under the Fundamental Rules) or 180 days (in the case of an officer whose leave is regulated under the Revised Leave Rules, 1933) as the case may be, travelling allowance will not be admissible in respect of the journeys within India.

(ii) For servants on the following scale:—

Heads of Missions and Married officers in Grade 5 and above (other than Heads of Missions)—3.

Married officers on the Senior Time Scale and unmarried officers in Grade 5 and above (other than Heads of Missions)—2.

Other officers—1.

Note.—Members of a Government servant's family and his servants are normally expected to accompany him. Their expenses will not be paid if they do not travel with him, unless they had started not more than six months in

advance of him, or arrived at his destination not later than six months after him. In the case, however, of a child receiving education at a school or college at the time of the Government servant's transfer, the amount of the fare for the child may be claimed if the child follows him within one year of the date of his transfer.

- (iii) *T.A. for members of family not residing with the Government servant.*—A Government servant will be entitled to receive the amount of the fares for a member of his family who ordinarily resides with him and is wholly dependent on him but who, at the time he performs the journey, is not residing with him for reasons of health or education, to his own destination:

Provided that the amount payable shall not exceed the amount admissible to the Government servant had that member travelled with him.

Explanation.—The cost of the passage of the family member is to be calculated with reference to the class of accommodation by which the journey is made. Thus a member of the family of a Government servant who is entitled to a first class passage will not be allowed the cost of a journey over a longer distance by a lower class. The actual fare paid, limited to the amount of the fare of that class for the journey made by the Government servant, will be admissible.

(6) **Amount of T.A.**—The amount of travelling allowance that can be drawn by a Government servant for himself, the members of his family or for servants, wherever such travelling allowance is admissible under sub-rule (5), is as follows:

(a) *Government servant and his family.*—In the case of the Government servant, or members of his family, First Class fares including sleeping berths for a land journey.

(b) *Servants.*—In the case of servants, fares of the lowest class provided that where the servant is a nurse or a governess travelling with the Government servant's child or children of 10 years of age or under, a first class fare will be paid. (This does not apply to a journey or part of a journey by land where,

(i) there is only one such child, or

(ii) first class sleeping accommodation is obtainable on payment of supplement to a second class fare, in which case second class fare with the supplement would be admissible.)

14. T.A. for certain non-duty journeys.—(1) Travelling allowance by the approved route is admissible also in respect of the following journeys which are performed otherwise than 'on duty':—

(a) *Leave ordinary.*—If the Government servant is proceeding from his post or returning to it on the expiry of leave other than leave on medical certificate in the cases specified in rule 15;

(b) *Leave on M.C.*—If the Government servant is proceeding from his post or returning to it on the expiry of leave on medical certificate in the cases specified in rule 16;

(c) *Retirement.*—If the journey to India is performed on the retirement of a Government servant on pension when posted abroad.

(2) **Amount of T.A. for certain non-duty journeys.**—The amount of travelling allowance admissible in cases falling under sub-rule (i) is as follows:

(i) Under clause (a) for self, family and servants to the extent specified in rule 13(6).

(ii) Under clause (b) for self as in rule 13(6); no travelling allowance is admissible for the family except under special orders of Government when it is limited to the amount specified in rule 13(6). No travelling allowance is admissible also for servants, but Government may in special circumstances, authorise the payment of the fare of a servant accompanying the Government servant provided that no member of the family is accompanying the Government servant.

(iii) Under clause (c), travelling allowance for himself and his family in accordance with sub-rule (6) of rule 13; provided that if the journey to the place of the Government servant's retirement is more expensive than a journey to India, he will not be entitled to claim more than what would be paid in respect of a journey to India.

- (iv) A Government servant will also be entitled to receive the amount of the fares, in the circumstances referred to in clause (a) or (c) for a member of his family who ordinarily resides with him and is wholly dependent on him, but who, at the time he performs the journey, is not residing with him for reasons of health or education, to his own destination to the extent and subject to the conditions provided under sub-clause (iii) of clause (b) of sub-rule (b) of rule 13.

15. Period after which leave T.A. earned.—A Government servant will be entitled to receive the amount of fares in the cases referred to in clause (a) of rule 14(1) (leave other than leave on medical certificate) once only in every 24 months' duty out of India or in the case of Government servants serving in certain posts in certain countries which are regarded as unhealthy and are classed as such by Government for purposes of leave, once only in every 18 months' service in such a post. Where leave is taken in a country other than India, payment of fares will be allowed by Government only in the most exceptional circumstances. Such fares will not exceed those which would be payable in respect of a journey to or from India by an approved route. If however, the amount of fares to or from the place at which leave is being taken is less than the amount of the fares for a journey to India, the Government servant will not receive more than the amount of the fares for the journeys actually undertaken.

NOTE.—A Government servant who receives travelling expenses for the purpose of proceeding on leave to India may be required during his stay to visit industrial areas, to study aspects of the national life on which it is his duty to be informed, or to consult Government departments. Any time so spent may be counted as duty.

16. T.A. for journeys on M.C.—In the cases referred to in clause (b) of rule 14(1) (leave on medical certificate) Government may at their discretion allow the payment to the Government servant of the amount of the fares for the journey from his post to India or to such other place, as the Government servant may proceed under medical advice for reasons of health or for the purpose of undergoing medical treatment which is not available locally.

NOTE.—Such fares will only be paid on production of a certificate by a duly qualified medical practitioner to the effect that it is necessary for the Government servant to proceed to the place to which the journey is made for reasons of health.

17. T.A. for certain other journeys.—Travelling allowance is admissible also in respect of certain other journeys referred to below:

(a) *On death of a Government servant.*—For the members of the family of a Government servant serving out of India who dies leaving his family out of India, for a journey from his post to any other place at the request of his widow or other members of his family up to the amount of the fares for the journey from the place where the deceased Government servant was posted, to India to the extent specified in rule 13(6).

(b) *Illness of a member of the family.*—If a member of the family of a Government servant serving out of India who is resident with the Government servant at his post is seriously ill and is required to proceed elsewhere on medical grounds for the purpose of treatment, Government may at their discretion allow payment to the Government servant of the return fares of the sick person and (where necessary) another person travelling with the sick person from the place where the Government servant is posted to such place as the sick person may proceed on medical advice. The amount of travelling allowance admissible will be regulated by rule 13(6).

NOTE.—The provision of the Note to rule 16 will also apply to the above.

(c) *T.A. of servant on the death of the Government servant.*—Where a Government servant serving out of India dies, leaving at the place of his posting Indian servants whom he had brought from India or elsewhere to his post and for whose return to their homes he would be responsible, the amount of the fares in accordance with rule 13(6) for such servants (subject to the limit specified in rule 13(5) (b) (ii) for a journey from the place of his post to their homes will be paid on request up to the amount of the fares to India.

18. Transportation of personal effects.—The cost of transporting personal effects and conveyance will be admissible as indicated below:—

(1) *By rail or road or sea.*—Where a Government servant is proceeding to another post on transfer or on first appointment to a post outside India or leaving such post on retirement on pension or when a Government servant dies while serving out of India, the cost of carriage by goods train and steamer of personal effects will be allowed up to the following maxima:—

If he has taken his family to the country where he was posted—60 maunds.
In other cases—40 maunds.

(2) *By Air.*—When a Government servant and/or his family are under special circumstances authorised by Government to travel by air each adult member (i.e., a member for whom full fare is paid) may take by air 100 lbs. of personal effects, inclusive of the free allowance granted by the air company, and each child half of that weight or the free allowance, whichever is greater. The weight of personal effects so carried in excess of the free allowance will be deducted from the maximum weight of 60 maunds or 40 maunds allowed to be transported by goods train and steamer.

NOTE.—Where the destination is the air port of disembarkation, the excess over the free allowance granted by the air company should be transported by air cargo.

(3) *Carriage of personal effects on journeys by rail.*—When a Government servant or his family has to travel by train for part of the journey, each adult member may be allowed to carry in the passenger train personal effects up to 2 maunds and each child up to 1 maund, exclusive of the free allowance. The weight of personal effects so carried will be deducted from the maximum weight of personal effects that can be conveyed by goods train.

(4) *Incidental charges.*—The fares for journeys of Government servants and their families and the cost of carriage of personal effects, when payable by Government under the rules in this chapter, will include the following charges:—

- (i) Landing or Port or Head or Terminal Tax.
- (ii) Dock dues.
- (iii) Port Trust charges.
- (iv) Wharfage.
- (v) Porterage.
- (vi) Cartage/Lorry charges.
- (vii) Launch hire between ship and shore.
- (viii) Passport Fees.
- (ix) Rail insurance (outside India only), air insurance and marine insurance premia.
- (x) Actual handling and agency charges of the Travel Agent.

NOTE 1.—Landing/Port/Head/Terminal Tax usually forms part of the steamer ticket and its reimbursement will not, therefore, present any difficulty. If, however, in any case it is charged for separately, the claim should be supported by a receipt.

NOTE 2.—Claims for Dock dues, Port Trust charges, Wharfage, Passport Fees, and Launch hire between ship and shore, where separately charged for, should also be supported by receipts. Demurrage and storage charges will not be paid by Government.

NOTE 3.—Porterage, Cartage/Lorry charges may be reimbursed if the controlling officer concerned is satisfied that the expenses are reasonable and essential in view of the local conditions prevalent at the time and have been actually incurred.

NOTE 4.—Handling and agency charges of the Travel Agent will include expenditure incurred on loading, unloading and carriage of luggage and only the service charge levied by the Travel Agent for undertaking the transport of the luggage.

(5) *Insurance Premia.*—For purpose of payment of rail, air and marine insurance premium, the total value of the insured property shall not exceed:

	Rs.
In the case of the Head of Mission	.. 30,000
In the case of others:	
Unmarried officer	.. 10,000
Married officer	.. 20,000

(6) *Transfer grant*.—Where a Government servant is proceeding on transfer from one post out of India to another such post, or from India to a post out of India, or from a post out of India to India, or on first appointment to a post out of India or on return to India on termination of his tenure, he may draw in addition to travelling allowance a lump sum equal to half of one month's pay subject to a minimum of Rs. 250 to meet the expenses of breaking up his household at one station and setting it up at another and such other expenses incidental to the transfer as have not been specifically provided for in these rules.

19. Transport of Car.—(1) A Government servant appointed to a post abroad, or on transfer, may draw the actual cost of transporting his own private car by rail and steamer, from his old to his new station provided that

(a) he was in possession of the car before he became aware of his appointment or transfer and it is certified by the competent authority that the maintenance of a car is necessary for the efficient performance of his duties both at the old and the new post, and

(b) he is not provided with a car at Government expense for his exclusive use at his new post.

NOTE.—The proviso at (b) above may be waived under the special orders of Government in the case of a Government servant of the rank of First Secretary or below.

(2) *Incidental expenses on transport of car.*—The actual cost of transporting a car will include, besides the freight, other actual incidental charges such as ghat pass, river dues, dock dues, passport fees, loading and unloading charges and marine insurance. All claims for incidental charges will be supported by payees' receipts.

(3) *Transport of car by rail.*—When the car is to be transported by rail it should be sent at owner's risk by passenger train or goods train at the option of the officer. If it is despatched by goods train, the officer may draw, in addition to the freight charged by the railway authorities, the cost of packing and of transporting the packed car to and from the goods shed at the station of departure and arrival, provided that the total amount so drawn shall not exceed the freight charged for transporting the car by passenger train.

Section III.—Daily Allowance

20. Daily allowance when granted.—In addition to the travelling allowance in Section II, a Government servant may draw daily allowance in the following circumstances:—

(a) While on duty in cases referred to in Section I(A)(i), (ii) and (iii) of rule 11(4) of Chapter V.

(b) Except on leave, in all cases where fares are payable to the Government servant under the provisions of Section II of this Chapter.

21. Purpose and rate of daily allowance.—(1) Daily allowance will be granted to meet the expenses of food and sleeping accommodation where these are not included in the fare and for halts on duty. The daily allowance will be at the rate prescribed for the time being for the countries traversed by the approved route or for journeys by sea.

(2) *Extent of D.A. in cases falling under 20 (b).*—In cases falling under rule 20(b), full daily allowance will be payable in respect of the Government servant himself, three-fourths of the full allowance for his wife and one half of the full allowance for every other member of his family above the age of 12 months.

(3) *Extent of D.A. in cases falling under 20 (a).*—In cases falling under rule 20(a) daily allowance as in clause (2) above will be payable for the Government servant's wife if she accompanies him under special permission obtained in advance from Government.

(4) *Reduction of D.A. in certain circumstances.*—Where some, but not all of the items for which daily allowance is granted are included in the fare, the daily allowance will be reduced to half.

NOTE.—If a Government servant is allowed the expenses of a sleeping berth on a long journey, he will receive only two-thirds of the daily allowance to meet the cost of his food.

22. Rates of D.A.—The rates of daily allowance are as follows:

(a) *India.*—In India—same rate as is applicable to a member of the Indian Administrative Service serving in connection with the affairs of the Union and in receipt of the same substantive pay.

(b) *Out of India.*—Out of India—At rates sanctioned by Government from time to time provided that:

- (i) the allowance will be admissible for each night which a Government servant spends away from the headquarters of his post outside India when travelling on official business or in any of the circumstances recognised by these rules as qualifying for the allowance.
- (ii) the full rates will be admissible for the first five nights at any one place and thereafter for the next 23 nights, they will be reduced by 25 per cent. and for the 29th and all subsequent nights there will be no further reduction in the case of a Government servant whose family has been left at the Government servant's headquarters but in all other cases the rate for the 29th and all subsequent nights will be reduced to half the rates.
- (iii) when a Government servant proceeds on duty to a place beyond five miles radius of his headquarters and returns to the headquarters the same day, daily allowance will be admissible as under:—
 - (1) For an absence from headquarters not exceeding six hours—Nil.
 - (2) If absence exceeds six hours but does not exceed 12 hours—One-third daily allowance.
 - (3) If the absence exceeds 12 hours—Two-thirds daily allowance.

NOTE.—The period of absence should be reckoned from the Government servant's usual place of duty when he makes an official visit from his home direct, or returns home from such a visit direct, the period to be reckoned for the purpose of determining the daily allowance will be time actually taken or the time that would have been taken had the journey started from or finished at his usual place of duty whichever is less.

CHAPTER VII

JOINING TIME (TRAVELLING TIME) AND PAY AND ALLOWANCES ADMISSIBLE DURING SUCH TIME

23. Joining time or travelling time and the pay and allowances during such time, admissible to Government servants transferred to and from posts in Indian Missions abroad, and on the occasion of leave, will be regulated as follows:—

(1) **Joining Time.**—Joining time or travelling time, reckoned as duty, will be admissible as provided below in cases of journeys for which the amounts of fares are payable by Government:—

- (a) In the case of journeys on transfer from one post abroad to another post abroad or from a post abroad to a post in India or *vice versa*, the actual time spent in transit from the old place of duty to the new place of duty, by the approved route, including enforced halts, if any, as certified by the Head of Missions concerned in countries where the enforced halts occur that the halt was necessary to catch the connecting transport, plus six days for preparation.
- (b) In the case of journeys on leave, the actual travelling time, i.e., the time taken for the outward and the return journey by an approved route between the station from where he proceeds on leave and the nearest port of disembarkation in the country where he spends his leave, including enforced halts, if any, *en route* to be certified as in (a) above. Travelling time as above will be allowed not more than once in every two years for service abroad on duty or in the case of an officer serving in any of the "special localities", declared as such, not more than once in every 18 months, subject to the condition that the travelling time thus allowed shall not exceed the time occupied by a journey to and from the nearest port of disembarkation in India by an approved route.
- (c) In the case of journeys to join a new post on return from leave, joining time reckoned as in clause (a) from the place where the Government servant was spending the leave or from the old station as Government may decide. If the leave taken exceeds four months, six days for preparation and transit time for this journey within India will not be admissible.

Explanation.—The 'special' localities referred to in this rule mean the localities specified as such from time to time by Government. They will include localities which are regarded as unhealthy or specially arduous due to severe climatic conditions and similar other reasons.

(2) **Joining Time Emoluments.**—The emoluments admissible during authorised joining time or travelling time will be as follows:—

(i) Heads of Diplomatic Missions—

- (a) During joining time on transfer from one post to another post—joining time pay under F.R. 107(a) plus $\frac{1}{4}$ th of the *frais de representation* of the post just relinquished;
- (b) During travelling time admissible while proceeding on leave and while returning to the same post on the expiry of the leave pay as though he were on duty in his post abroad *plus* such portion of his *frais de representation* as may be allowed to him during his leave;
- (c) During travelling time/joining time admissible on the occasion of leave-cum-transfer to a new post—travelling time pay under F.R. 107(a) *plus* such amount of *frais de representation* as may be fixed by Government.

(ii) Government servants other than Heads of Diplomatic Missions.—

- (a) On transfer from one post to another—the emoluments which he would have drawn if he had not been transferred or the emoluments which he will draw on taking charge of his new post, whichever are less. The term 'emoluments' includes pay, special pay, and other emoluments, classed as pay, dearness allowance and foreign allowance.
- (b) During travelling time admissible while proceeding on leave and while returning to the same post on the expiry of leave pay as though he were on duty in his post abroad *plus* dearness or foreign or taxable allowance which is admissible during the leave taken; and
- (c) During travelling time and joining time admissible while proceeding on leave-cum-transfer to a new post—pay under F.R. 107(a) *plus* dearness or foreign or taxable allowance which is admissible during the leave taken.

CHAPTER VIII

LANGUAGE ALLOWANCE

24. **Language examination.**—(1) Members of Branch A of the Service will before being confirmed in the Service normally be expected to pass an examination in one of the following languages according to the standard prescribed in sub-rule (2):—

French.
German.
Russian.
Spanish.
Arabic.
Chinese.
Japanese.
Persian.

NOTE.—In the case of Government servants appointed to the Service at an age later than that prescribed for normal recruitment, special orders will be passed in each case by Government regarding the period for compulsory qualification in one of the modern languages referred to above.

(2) **Language allowance.**—A language allowance of Rs. 100 per month will be payable to a member of Branch A of the Service drawing basic pay not exceeding Rs. 1,800 a month, who is certified by the competent authority to have passed an examination in and to possess a competent knowledge colloquial and otherwise, for ordinary purposes, of any of the following languages:—

Amharic.
Annamese.
Arabic.
Bulgarian.
Burmese.
Chinese (either Mandarin or Cantonese).
Czechoslovak.
Danish.

Dutch.
French.
German.
Hungarian.
Italian.
Japanese.
Javanese/Bhasa.
Indonesia.
Kiswahili.
Malay.
Modern Greek.
Norwegian.
Persian.
Polish.
Portuguese.
Rumanian.
Russian.
Serbo-Croatian.
Siamese.
Spanish.
Swedish.
Sinhalese.
Tibetan.
Turki.
Turkish.

(3) No allowance will be admissible under sub-rule (2) nor the increased allowance under sub-rule (4), until the Government servant has first passed the examination in the chosen compulsory language under sub-rule (1) and has been confirmed in Branch 'A' of the Foreign Service.

(4) *Interpreter's examination*.—The allowance prescribed in sub-rule (2) may be increased to Rs. 200 per month to Government servants who satisfy the competent authority that they have acquired a high standard of proficiency, sufficient to enable them to act as interpreters, in any of the languages specified therein.

NOTE.—(1) Members of Branch A of the Service will be expected wherever possible to learn the language of the country in which they are posted.

(2) Candidates for any of the allowances specified in this Chapter will normally be required to pay their own teachers' fees.

(3) Government servants who learn a language approved by Government for which no monthly allowance or lump sum reward is payable under sub-rule 5(a), may be allowed at the discretion of Government teachers' fees on a reasonable scale.

(4) Language allowance will be payable only while the Government servant holds a post in a country where the language for which he has been granted an allowance is in current use. Not more than one such allowance will be payable at one time under the provisions of this Chapter.

(5) (a) A Government servant who has passed the examination in the compulsory language chosen under sub-rule (1) and has been confirmed in Branch 'A' of the Foreign Service, will on passing an examination in one or more of the other languages prescribed in sub-rule (2), become entitled to draw a lump sum reward of Rs. 1,500 for each language passed other than the compulsory language. No officer who is eligible for a monthly allowance under these rules, shall be permitted to draw that allowance unless he has refunded the lump sum reward that he has already received for passing the examination in the language for which the allowance is granted. Such refund may be made by foregoing the monthly allowance for the requisite number of months.

(b) The lump rewards prescribed in this rule will be admissible to all officers including those whose pay exceeds Rs. 1,800 p.m.

CHAPTER IX

LEAVE

25. The leave rules in Section III of Chapter X of the Fundamental Rules or the Revised Leave Rules, 1933, as amended from time to time apply to members of Branch A of the Service with the modifications contained in these rules.

(a) *Additional credit of leave.*—In respect of the period spent in service out of India a Government servant will be granted an additional credit of 50 per cent of the leave that is admissible on average pay under Fundamental Rules or as earned leave under the Revised Leave Rules, as the case may be.

NOTE.—The term "Service out of India" for the purpose of this rule will mean active service out of India and will not include travelling or joining time, although the joining and travelling time will be reckoned as duty and not leave.

(b) *Accumulation of leave.*—Earned leave (under the Revised Leave Rules 1933) may be accumulated up to a maximum of 180 days.

(c) *Maximum leave admissible at one time.*—The maximum amount of leave on average pay under the Fundamental Rules or earned leave under the Revised Leave Rules 1933, as the case may be, that may be taken at any one time in India will be 8 months for Government servants governed by Fundamental Rules or 180 days for Government servants subject to the Revised Leave Rules 1933. The maximum amount of leave on average pay or earned leave, as the case may be, which may be taken at any one time ex-India will be as laid down in the Fundamental Rules or the Revised Leave Rules 1933, for leave taken in India.

26. *Travelling time.*—Travelling time i.e. time taken for the outward and return journey between the country where the Government servant is serving and the country where he is spending his leave which is admissible under rule 24(1) (b) will be treated as duty for purpose of this Chapter.

27. *Casual leave.*—Casual leave is not part of regular leave and the provisions of this Chapter do not apply to it. The conditions for the regulation of casual leave will be the same as prescribed by Government from time to time. Casual leave, however, must not be given so as to cause evasion of the rules regarding:

- (i) date of reckoning pay and allowances.
- (ii) charge of office.
- (iii) commencement and end of leave.
- (iv) return to duty, or so as to extend the term of leave beyond the time admissible by rule.

28. *Where leave can be taken.*—(1) Leave may be taken:—

- (a) in the country where the Government servant is serving or in any other country; or
- (b) in India.

(2) When circumstances permit, Government servants will be expected to spend their leave in India in order that they may keep in touch with developments in this country. They will be expected to undertake such tours or refresher courses and to pay such visits to Government departments as may be required of them by Government. Time spent on such tours, refresher courses or visits will be treated as duty.

CHAPTER X

RESIDENTIAL ACCOMMODATION AND SCALES OF FURNITURE

29. *Free furnished accommodation.*—(1) All members of the Service, serving out of India, will be provided with rent-free furnished residential accommodation, excluding services and other tenant's charges. The scale of accommodation to be provided in each case will not exceed that which is appropriate to the Government servant's status, as prescribed by the Government from time to time. The extent to which Government will bear expenditure on the provision of accommodation will be further subject to such ceiling rent as may be prescribed by Government from time to time for particular localities.

(2) *Lease for residence.*—A Government servant serving out of India at a place where residential accommodation is not provided by Government should always endeavour to include a break clause (known as a 'diplomatic clause') in the lease for his residence so as to enable him to terminate it at short notice in the event of transfer before the expiry of the lease. Where it is not possible to secure such a clause and the Government servant is transferred to another post before the

expiry of the lease of his residence and is unable to dispose of or terminate the lease without incurring financial loss or without payment of compensation, the Head of Mission should require his successor or any other Government servant entitled to rent-free accommodation or rent allowance who is not already suitably accommodated according to the terms of his appointment, to occupy the vacated residence. If such a Government servant declines to occupy that residence, he should forfeit his title to rent-free accommodation or house rent allowance for the period for which Government has to pay compensation for the abandoned lease.

(3) *Scale of furniture.*—The scale of furniture which will be provided at Government expense will be as decided by Government from time to time.

CHAPTER XI

DISCIPLINE AND CONTROL

30. Members of the Service will, in respect of discipline and control, be governed by the Civil Service (Classification, Control and Appeal) Rules as for the time being are applicable to Government servants belonging to a Central Service, Class I.

31. *Sphere of service.*—Members of Branches A and B are liable to serve in India or at a diplomatic or consular or commercial post out of India as and when required.

CHAPTER XII

CONDUCT RULES

32. (1) All members of the Service are subject to the Government Servants Conduct Rules as from time to time applied to All India Services under the control of Government.

(2) In addition the further prohibitions and interpretations set out in the succeeding rules of this Chapter shall apply to all members of the Service.

(a) All powers of sanction delegated to a State Government or other subordinate authority under the said rules shall in the case of members of the Service, be exercised by Government, except in so far as they may be delegated, by general or special order, to members of the Service by name or designation.

(b) In the provisions relating to the acceptance of gifts in the said rules, the expressions, "gifts, gratuity, or reward" shall include all forms of services, passages, and all other benefits whatever, rendered without cost or markedly below the normal market rate.

(c) Notwithstanding anything contained in the said rules, no member of the Service or a member of his family may, without the previous sanction of Government receive any gift whatever from foreigners resident in the foreign country where that member is serving.

(d) The prohibitions contained in the said rules against taking part in public demonstrations shall not apply to occasions in foreign countries in which a member of the Service takes part by virtue of his official position, in accordance with accepted usage. Occasions for which there is no precedent should be reported to Government for orders.

(e) The provisions of the said rules relating to the following activities shall apply also when such activities take place in a foreign country:—

- (i) Buying and selling houses and other valuable property.
- (ii) Holding or acquiring immovable property.
- (iii) Political activities.

33. *Prohibition against raising of Subscriptions.*—Except with the previous sanction of the Head of the Mission no member of the Service shall ask for, or accept, or in any way participate in the raising of any subscription or pecuniary assistance for any object whatsoever. Wherever possible the Head of the Mission should obtain previous sanction of Government and in any case he must report all such cases immediately to Government for their approval.

34. *Opening of Credit Account.*—Members of the Service may open a credit account with a reputable firm of tradesmen. They must, however, settle all such accounts regularly, and must never permit them to become so large as to be beyond their paying capacity.

35. **Financial Embarrassment.**—Without prejudice to any other action which may be taken, a member of the Service who becomes insolvent or is financially embarrassed to an extent which makes it likely that he may be declared insolvent shall report the fact, with a statement of the circumstances, to Government, through his immediate official superior without any delay.

36. **Restriction on Certain Activity.**—No member of the Service may at any time engage in any activity which would in any way tend to impair his usefulness as a member of the Service. In any case of doubt, the orders of the Government must be taken.

37. **Intimation of marriage with a foreigner.**—(1) Any male member of the Service, who proposes to marry a person of a nationality other than his own, shall intimate his intention to do so to the Secretary for Foreign Affairs of Government. Requests for permission to marry an alien shall be accompanied by the officer's letter of resignation for such action as may be needed appropriate. If the Government servant contracts marriage with an alien without obtaining prior permission, this will be deemed to be sufficient ground for his removal from service.

(2) A woman member of the Service who proposes to marry must notify the Secretary for Foreign Affairs of Government of her intention. As a rule, a woman member of the Service will be required to resign upon marriage.

(3) Government reserve the right, in very special circumstances, to retain in the Service a person who does not satisfy the conditions prescribed by this rule.

38. **Divorce.**—If a member of the Service becomes involved in a matrimonial suit which may, in the opinion of Government, bring discredit upon that member or upon the Service, Government may call upon him to resign. A member of the Service who becomes involved in a divorce suit must therefore notify the Secretary for Foreign Affairs of Government of the facts of the case at the earliest moment.

CHAPTER XIII

OFFICIAL SECRETS AND CUSTODY OF OFFICIAL DOCUMENTS

39. (1) It is the duty of every member of the Service to acquaint himself with the provisions of the Indian Official Secrets Act, 1923 and of changes which may from time to time be made in the law relating to Official Secrets.

(2) Any offence under the Act committed by a member of the Service will also be treated as a departmental offence, for which the member may be subjected to suitable penalties irrespective of whether he is also prosecuted for the offence in a criminal court.

NOTE.—The Official Secrets Act applies to all confidential documents or information which come into the possession, custody, or knowledge of members of the Service. Any improper communication of confidential documents or information is a criminal offence, even if the communication is made to another person in the Service of Government. It is also a criminal offence if a member of the Service fails to return official documents.

No definition is given in the Act of "Official Documents", and there is no rule given in the Act as to the burden of proof on the question whether a document or information was "entrusted in confidence". So far as the criminal application of the Act is concerned, it is for the court to interpret it. On the other hand, from a departmental point of view, Government are free to decide what shall be deemed to be "Official Documents" and what test shall be applied to determine whether information or documents are confidential. Some of the tests are indicated in sub-rules (1) and (2) of rule 43.

40. Negligence by a member of the Service in the custody, disposal, or handling, of official documents or in communicating confidential information is a departmental offence.

41. **Improper communication of confidential documents or information.**—Any improper communication of confidential official documents or confidential official information in any manner, is a departmental offence.

42. **Return of Official Documents.**—Any failure by a member of the Service to return official documents if their return is demanded is a departmental offence.

43. What is Confidential information or document.—(1) All information and documents falling within the categories specified in sub-rule (2) shall, for the purposes of these Rules be deemed to be confidential and official, unless the Government otherwise decides; and the onus of proof to show, in any case, that any such information or document is not confidential or is not official will rest upon the Government servant concerned.

NOTE.—In the case of information or documents not falling within the classes specified in sub-rule (2) the question whether they are official or confidential will be decided according to the circumstances of each case.

(2) The categories of documents and information referred to in sub-rule (1) are:—

(a) all documents or correspondence, (and copies thereof) relating to any matter of official concern to any branch of Government or any State Government and emanating from or addressed to:—

- (i) any Indian diplomatic mission or consulate;
- (ii) any Ministry or other office of the Government of India or of any State Government;
- (iii) any Department of any Government other than the Government of India;
- (iv) any diplomatic mission or consulate other than an Indian mission or consulate;
- (v) any person in the Service of any of the diplomatic missions, consulates or Government Departments referred to in (i), (ii), (iii) and (iv) above.

(b) all information relating to any matter of official concern to any branch of the Indian Services and obtained orally, or from documents or observation at, any of the sources specified in (i), (ii), (iii), (iv) and (v) of clause (a).

NOTE.—(1) Documents and correspondence may be official and confidential under this rule notwithstanding that they have been addressed or sent in a personal form or marked "personal" or "private". Indeed the presumption is that they are official and confidential. It is in fact a common practice to send most secret information, or most confidential instructions in a letter so marked. Similarly, oral information may be official and confidential although it has been given casually and in a non-official manner.

(2) The enumeration in this rule is not exhaustive. Written or oral communications from non-official persons relating to matters of official concern may often be confidential official information and if in writing official documents.

44. Destruction of Official Documents.—Members of the Service shall, on the outbreak of war with the country in which the Government servant is stationed or on the occurrence of any other emergency, destroy official documents which are in their possession or custody in accordance with the instructions in force for such eventuality. Except in cases of emergency, they shall not without authority from Government destroy the originals or sole copies of official documents unless it is clear that such documents do not possess or no longer possess any interest for the purpose of official record. They should, however, from time to time destroy surplus copies of documents of ephemeral interest, in accordance with Standing Instructions.

45. Improper use of experience of members of Service.—(a) Members of the Service must not, without the permission of Government, publish any book or article or give any public lecture or broadcast which is based in whole or in part upon their experience as members of the Service or upon information obtained by them as members of the Service.

(b) The reproduction of unpublished official documents (and this includes memoranda prepared by the member himself in his official capacity or on official information) is not permitted.

(c) Members of the Service in publishing any book or article or in giving any public lecture or broadcast talk (whether such book, lecture, or talk is or is not based on their experience as members of the Service or upon information obtained by them as members of the Service) must not without the permission of Government, refer to, or permit any reference to be made to the position they hold or have held as a member of the Service.

46. **Ex-members of the Service.**—Former members of the Service remain subject to the Official Secrets Act as regards all official documents and as regards all confidential information obtained by them while members of the Service.

47. **Intimation regarding papers in possession on ceasing to be a member of the Service.**—Whenever a member of the Service ceases to be a member he shall inform the Secretary for Foreign Affairs of Government of all papers in his possession which come, or may reasonably be believed to come, under any of the provisions of this Chapter. The Secretary for Foreign Affairs of Government may then give directions as to the future custody and disposal of such papers. A failure by a member to comply with the provisions of this Rule or with the direction of the Secretary for Foreign Affairs of Government under it, may be taken into account in fixing the amount of pension to be paid to the member.

NOTE.—A member of the Service may not, in his will, bequeath to any other person papers which are covered by this Chapter, nor can he give any right to his executors or legatees to read secret papers which he could not show them in his lifetime. Members of the Service should make arrangements to secure that, on their death, all papers which might come under this Chapter are delivered to the Secretary for Foreign Affairs of Government for examination and decision as to their custody and disposal.

[No. R/54/10113/1].
PREM KRISHEN, Joint Secy.

